

I have worked as an entertainer and recording artist since 1977. Myband Barely Pink was signed to BigDeal! Records from 1996 until their demise in 1999. In 2003, we released our latest CD, "Last Day of Summer" on Not Lame Records. I'm currently performing around the state of Florida with The Vodkanauts (www.vodkanauts.com).

I toured the US and Canada for thirteen years as an entertainer with the Young American Showcase Company, doing a rock n' roll/comedy/motivational program in secondary schools. Since settling down in my hometown of St. Petersburg, FL, I have carved out a career as a video producer and free lance audio recordist, as well as continuing to perform in local original music bands, particularly Barely Pink.

We are fortunate in the Tampa Bay area to have one independent radio station, WMNF, that believes whole-heartedly in promoting local recording artists. Barely Pink appeared live on-the-air several times over the years at WMNF and also enjoyed having our music played occasionally. The truly wonderful thing is the large, devoted audience WMNF has maintained over the years. When the band played live at WMNF-sponsored events, there was always a fantastic turn-out. Several shows were even sold out. Barely Pink also worked with the now defunct Clear Channel station Star 95.7. We entered a competition of local bands to win the opening spot at their annual Starfest all-day music festival that featured many well-known national acts. We won that competition, but the station refused to play our music, even though our brand of radio-ready power pop matched their format perfectly. Over the years we played several other radio-sponsored live shows as opening act support for a national artis

t, but we were always denied the opportunity to play our songs on their stations.

In my opinion, the FCC should not continue to rely on market forces and the issue-responsive programming requirement to encourage broadcast stations to air community-responsive programming. It hasn't worked. The FCC should attempt to come up with it's own sensible definition of local programming.

The FCC should adopt a definition that measures „locally originated% or „locally produced% programming. The FCC should ensure that all programming decisions are made at the local station level.

Local programming should include news and public affairs as well as high school sports and a local band hour. I believe a definition should be put in place that will encourage stations to play the music of local artists, as long as their recordings meet professional standards.

On the other hand, I do not believe that a local stations involvement in community activities such as fundraisers and charitble events should count toward their localism requirement, but rather be considered an example of the same type of community goodwill that many banks, corporations and local businesses also engage in.

Regarding the practice of payola, payments made to radio stations via "indie promoters" should be considered payola by the FCC. The FCC should prohibit the proactive accepting of any payments from anybody that does music research, or makes programming suggestions. If a national artist does a free concert for a radio station for any reason, the FCC should also consider that a form of payola. Record labels should not be allowed to buy ad spots on stations to play their band's songs as an announced ad. Radio stations

are seeking payment for front and back announcing ^ that is, announcing songs and artist information either before or after a song is played. This practice violates the FCC's sponsorship identification rules. it seems that the existing rules are in many ways deficient in addressing the current practices of radio stations.

Regarding the practice of "voice-tracking", the FCC does not have rules that directly address it. When a media company uses voice-tracking as a strategy to eliminate live broadcasts and local employees altogether, the connection to the local community can be hurt. Voice-tracking is inconsistent with a broadcaster's obligations to serve the local interest, especially regarding broadcasts that mislead the public about where the broadcaster is located. The FCC should come up with a clearly defined rule that eliminates this practice.

Regarding the use of national playlists that are developed by large corporate radio owners, the use of such playlists prevents local stations from making independent decisions about airplay, and thereby diminishes the diversity and types of music heard on the radio, such as music performed by local artists. The FCC should require that all programming decisions are made at the local level. Stations should be required to play a certain percentage of local content.

Regarding Low Power FM Radio, I'd like to see more licenses be made available, especially in heavily populated areas. I believe this would be a great benefit to local music communities.

In conclusion, I want to thank the FCC for addressing these issues with a public proceeding.